

City of Bellevue Development Services Department Land Use Staff Report

Proposal Name:

Carrithers Reasonable Use Exception

Proposal Address:

14615 NE 13th PI

Proposal Description:

Critical Areas Land Use Permit approval for Reasonable Use to allow 3,000 square feet of permanent disturbance to construct a single-family residence. The site contains two steep slopes, a category III wetland, and a Type-F stream (Kelsey Creek). The proposal is supported by a critical areas study, geotechnical report, and mitigation planting plan.

File Number:

17-119605-LO

Applicant:

Richard Carrithers

Decisions Included:

Critical Areas Land Use Permit (Process II. LUC 20.30P)

Planner:

David Wong, Planner

State Environmental Policy Act

Threshold Determination:

Exempt (WAC 197-11-800)

Director's Decision:

Approval with Conditions

Elizabeth Stead, Land Use Director Development Services Department

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Application Date:

08/21/2017

Notice of Application Publication Date:

09/07/2017

Decision Publication Date:

01/18/2018

Project Appeal Deadline:

02/01/2018

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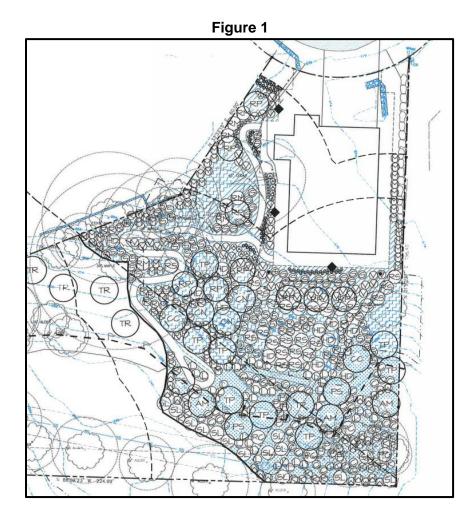
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Attachments

- 1. Site Plan
- 2. Mitigation, Restoration, Enhancement Plan
- 3. Critical Areas Study (in file)
- 4. Geotechnical Engineering Study (in file)

I. Proposal Description

The applicant proposes 3,000 square feet of permanent disturbance to construct a 1,650 square feet single-family residence, 375 square-foot driveway, and to provide 5 feet of maintenance space around the proposed residence. The site contains approximately 1,200 square feet of area that is not encumber by critical area or critical area buffer and therefore qualifies for a reasonable use exception under LUC 20.25H.200. See Figure 1 for proposed conditions.



Proposals to develop a single-family residence on parcels that do not contain the minimum amount of developable area as specified in LUC 20.25H.200.A.2.i, in this case 3,000 square feet, are required to receive approval of a Reasonable Use Exception (RUE) through a Critical Areas Land Use Permit (CALUP). Review of the CALUP is subject to the requirements of LUC 20.20, 20.25H and 20.30P, including but not limited to those sections governing geologic hazard steep slopes, wetlands, streams, RUE, and mitigation.

II. Site Description, Zoning, Land Use and Critical Areas

A. Site Description

The subject undeveloped property is located a 14615 NE 13th PI and is listed under King

County tax parcel number 7383500070. The size of the lot is 22,348 square feet and contains approximately 21,148 square feet of critical areas and critical area buffers. The critical areas that have been identified on site consist of a Type F stream (Kelsey Creek), a category III wetland, and two steep slopes. The site has a South-Southwest aspect that slopes downward towards Kelsey Creek bisecting the property from south to north in the western most portion of the property. Vegetation on site is characterized by several medium to large native conifer and deciduous trees species such as, Douglas-fir (*Pseudotsuga menziesii*), wester redcedar (*Thuja plicata*), big-leaf maple (*Acer macrophylum*), and red alder (*Alnus rubra*), and a variety of native understory and groundcover associated with riparian, wetland, and steep slope areas. A large patch of Himalayan blackberry (*Rubus armeniacus*) dominates a central and southeastern area of the site above, within, and below the steep slope between elevations 248-264 feet ASL. Much of the northern portion of the site contains unmanaged non-native grasses. See Figure 2 for existing site conditions.

Figure 2

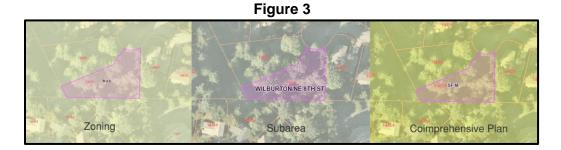
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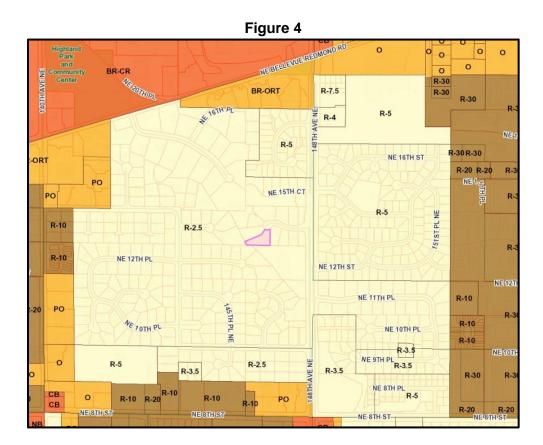
B. Zoning

The underlying zoning of the property is R-2.5 (a single family zoning district) and it is located within the Wilburton/NE subarea. The property has a Comprehensive Plan designation of Single-Family Medium Density (SF-M). See Figure 3 for zoning, subarea, and Comprehensive Plan mapping.



C. Land Use Context

The property is bordered on all sides by single-family development and zoning (R-2.5). More intense uses, including BR-ORT, R-10, R-20, R-30, O, PO, and CB, are located approximately a quarter of a mile away in all directions. See Figure 4 for additional land use context information.



D. Critical areas

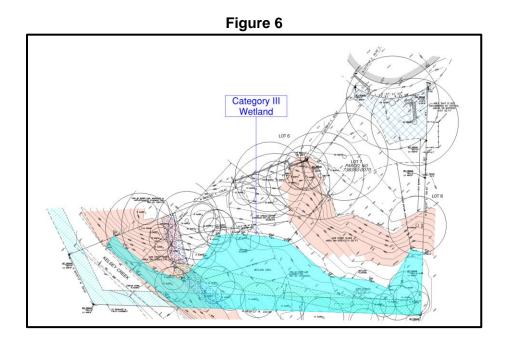
i. Steep Slopes

The property has two areas of slopes with a south, southwest aspect between 228-268 feet ASL that are 40% or greater in slope, have a rise of greater than 10 feet in elevation, and cover 1000 square feet or more in area, which meet the definition for steep slopes as defined in LUC 20.25H. The steep slopes on-site are subject to a 50-foot top of slope buffer and a 75-foot toe of slope structure setback per LUC 20.25H. See Figure 5 for steep slope locations.

Steep Slope
Critical Areas

ii. Wetlands

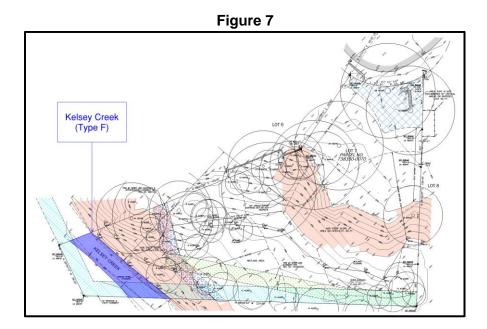
There is a category III wetland on and adjacent to the subject property. The wetland is associated with seeps originating from the upper steep slope located in the central portion of the lot, and is dominated by red alder (*Alnus rubra*), salmonberry (*Rubus spectabilis*), and dense Himalayan blackberry (*Rubus armeniacus*). The wetland was determined to have a habitat score of 15 points, which requires a buffer of 60 feet and a structure setback of 15 feet. See Figure 6 for wetland location.



iii. Streams

A portion of Kelsey Creek (Type F) flows south to north through the western-most portion of the property. The riparian corridor adjacent to Kelsey Creek in this area contains red

alder (*Alnus rubra*), big-leaf maple (*Acer macrophyllum*), salmonberry (*Rubus spectabilis*), horsetail (*Equisetum telmateia*), and lady fern (*Athyrium filix-femina*). Himalayan blackberry (*Rubus armeniacus*) and English ivy (*Hedera helix*) have also been identified within these areas. Undeveloped properties containing Type F streams are subject to a buffer of 100 feet and a structure setback of 20 feet. See Figure 7 for stream location.



E. Critical Areas Functions and Values

i. Streams and Riparian Areas

Most of the elements necessary for a healthy aquatic environment rely on processes sustained by dynamic interaction between the stream and the adjacent riparian area (Naiman et al., 1992). Riparian vegetation in floodplains and along stream banks provides a buffer to help mitigate the impacts of urbanization (Finkenbine et al., 2000 in Bolton and Shellberg, 2001). Riparian areas support healthy stream conditions.

Riparian vegetation, particularly forested riparian areas, affect water temperature by providing shade to reduce solar exposure and regulate high ambient air temperatures, slowing or preventing increases in water temperature (Brazier and Brown, 1973; Corbett and Lynch, 1985).

Upland and wetland riparian areas retain sediments, nutrients, pesticides, pathogens, and other pollutants that may be present in runoff, protecting water quality in streams (Ecology, 2001; City of Portland 2001). The roots of riparian plants also hold soil and prevent erosion and sedimentation that may affect spawning success or other behaviors, such as feeding.

Both upland and wetland riparian areas reduce the effects of flood flows. Riparian areas

and wetlands reduce and desynchronize peak crests and flow rates of floods (Novitzki, 1979; Verry and Boelter, 1979 in Mitsch and Gosselink, 1993). Upland and wetland areas can infiltrate floodflows, which in turn, are released to the stream as baseflow

Stream riparian areas, or buffers, can be a significant factor in determining the quality of wildlife habitat. For example, buffers comprised of native vegetation with multi- canopy structure, snags, and down logs provide habitat for the greatest range of wildlife species (McMillan, 2000). Vegetated riparian areas also provide a source of large woody debris that helps create and maintain diverse in-stream habitat, as well as create woody debris jams that store sediments and moderate flood velocities.

Sparsely vegetated or vegetated buffers with non-native species may not perform the needed functions of stream buffers. In cases where the buffer is not well vegetated, it is necessary to either increase the buffer width or require that the standard buffer width be restored or revegetated (May 2003). Until the newly planted buffer is established the near term goals for buffer functions may not be attained.

Riparian areas often have shallow groundwater tables, as well as areas where groundwater and surface waters interact. Groundwater flows out of riparian wetlands, seeps, and springs to support stream baseflows. Surface water that flows into riparian areas during floods or as direct precipitation infiltrates into groundwater in riparian areas and is stored for later discharge to the stream (Ecology, 2001; City of Portland, 2001).

ii. Wetlands

Wetlands provide important functions and values for both the human and biological environment—these functions include flood control, water quality improvement, and nutrient production. These "functions and values" to both the environment and the citizens of Bellevue depend on their size and location within a basin, as well as their diversity and quality. While Bellevue's wetlands provide various beneficial functions, not all wetlands perform all functions, nor do they perform all functions equally well (Novitski et al., 1995). However, the combined effect of functional processes of wetlands within basins provides benefits to both natural and human environments. For example, wetlands provide significant stormwater control, even if they are degraded and comprise only a small percentage of area within a basin.

iii. Geologic Hazard Areas

Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices. When technology cannot reduce risks to acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190).

Steep slopes may serve several other functions and possess other values for the City and its residents. Several of Bellevue's remaining large blocks of forest are located in steep slope areas, providing habitat for a variety of wildlife species and important

linkages between habitat areas in the City. These steep slope areas also act as conduits for groundwater, which drains from hillsides to provides a water source for the City's wetlands and stream systems. Vegetated steep slopes also provide a visual amenity in the City, providing a "green" backdrop for urbanized areas enhancing property values and buffering urban development.

iv. Habitat Associated with Species of Local Importance

Urbanization, the increase in human settlement density and associated intensification of land use, has a profound and lasting effect on the natural environment and wildlife habitat (McKinney 2002, Blair 2004, Marzluff 2005 Munns 2006), is a major cause of native species local extinctions (Czech et al 2000), and is likely to become the primary cause of extinctions in the coming century (Marzluff et al. 2001a). Cities are typically located along rivers, on coastlines, or near large bodies of water. The associated floodplains and riparian systems make up a relatively small percentage of land cover in the western United States, yet they provide habitat for rich wildlife communities (Knopf et al. 1988), which in turn provide a source for urban habitat patches or reserves. Consequently, urban areas can support rich wildlife communities. In fact, species richness peaks for some groups, including songbirds, at an intermediate level of development (Blair 1999, Marzluff 2005). Protected wild areas alone cannot be depended on to conserve wildlife species. Impacts from catastrophic events, environmental changes, and evolutionary processes (genetic drift, inbreeding, colonization) can be magnified when a taxonomic group or unit is confined to a specific area, and no one area or group of areas is likely to support the biological processes necessary to maintain biodiversity over a range of geographic scales (Shaughnessy and O'Neil 2001). As well, typological approaches to taxonomy or the use of indicators present the risk that evolutionary potential will be lost when depending on reserves for preservation (Rojas 2007). Urban habitat is a vital link in the process of wildlife conservation in the U.S.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

This is a proposal to obtain a reasonable use exception for the construction of a single-family residence. The property is zoned R-2.5 and is subject to the dimensional requirements of LUC 20.20.010 which include, but is not limited to, setbacks, lot coverage and impervious surface. Approximately 95% of the property is encumbered by critical areas and critical area buffers. The proposal is consistent with the underlying zoning district and applicable dimensional requirements based on the materials submitted. See Table 1 for more information on the conformance with the dimensional standards of LUC 20.20.010

Table 1

	Requirement	Proposed	Conforms (Yes or No)
Front Yard Setback	20 Feet	15 Feet*	No*
Rear Yard Setback	25 Feet	25 Feet	Yes
Side Yard Setback	5 Feet	5 Feet	Yes
Combined 2 Side Yard	15 Feet	15 Feet	Yes
Lot Coverage (35%)	<= 2,414.4 SF	1,560 SF	Yes
Impervious Surface (50%)	11,174 SF	1,842 SF	Yes
Greenscape (50%)	400 SF	518 SF	Yes

^{*}Subject to reduction through a Critical Areas Land Use Permit per 20.25H.040.B to avoid additional impacts to critical areas or critical area buffers.

B. Critical Areas Requirements LUC 20.25H:

i. Consistency with LUC 20.25H.200 – Reasonable Use Exception (RUE)

A reasonable use exception may be granted when no other reasonable use of property exists by the application of the regulations of LUC 20.25H.200. The site is 95% encumbered (21,148 square feet) by critical areas and critical area buffers. When the development density/intensity calculations outlined in LUC 20.25H.045 are applied to this situation the site does not have the potential for a single dwelling unit. As such, the site meets the definition of a small lot as defined in LUC 20.25H.200.A.2.a. Under this definition, a lot in the R-2.5 land use district with less than 3,000 square feet of developable area on the site is considered to have no reasonable use and would qualify for a reasonable use exception.

The subject property is 95% encumbered by critical areas and critical area buffers and has 1,200 square feet of buildable area. The property qualifies for a reasonable use exception by not containing at least 3,000 square feet of developable area. The proposed area of disturbance is 3,000 square feet.

C. Consistency with Land Use Code Critical Areas Performance Standards:

- i. Geologic Hazards Performance Standards 20.25H.125
 - a. Structures and improvements shall minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to existing topography;

This is a reasonable use application. The preliminary, stated design of the proposed structure minimizes alteration of the natural contours of the site to the greatest extent possible within the allowance of the Land Use Code.

b. Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation;

The structure and improvements are located to avoid any permanent disturbance to the steep slopes, wetland, and stream. Avoidance of the steep slope buffer

entirely is not possible but the proposal has been designed to utilize as much of the unencumbered area of the site as possible while minimizing the permanent disturbance to the steep slope buffer. The proposal requests a 15-foot front yard setback as allowed by LUC 20.25H.040. See Section X for Conditions of Approval.

c. The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties;

"Construction of the residence in the proposed location, from a geotechnical standpoint, will not result in greater risk or the need for increased buffers on neighboring properties." (Geotechnical Engineering Study, 2017, pg. 5, Attachment 4). Additionally, the City will require a Hold Harmless agreement to be recorded and submitted prior to issuance of the Building Permit. See Section X for Conditions of Approval.

- d. The use of retaining walls that allow the maintenance of existing natural slope area is preferred over graded artificial slopes where graded slopes would result in increased disturbance as compared to use of retaining wall; The proposal has been designed not to include any additional retaining walls and much of the existing topography will not be altered.
- e. Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer;

The development has minimized impervious surface by designing the footprint (1,650 SF) and the driveway (282 SF) as the only impervious surfaces on-site. Each has been designed to be the minimum necessary for reasonable development.

f. Where change in grade outside the building footprint is necessary, the site retention system should be stepped and regrading should be designed to minimize topographic modification. On slopes in excess of 40 percent, grading for yard area may be disallowed where inconsistent with this criteria;

No changes in grade outside the building footprint is proposed. Minimal yard area will be located within the front yard greenscape and within the 5-foot maintenance space for the single-family residence.

g. Building foundation walls shall be utilized as retaining walls rather than rockeries or retaining structures built separately and away from the building wherever feasible. Freestanding retaining devices are only permitted when they cannot be designed as structural elements of the building foundation;

No foundation walls, rockeries, or additional retaining walls are proposed.

h. On slopes in excess of 40 percent, use of pole-type construction which

conforms to the existing topography is required where feasible. If pole-type construction is not technically feasible, the structure must be tiered to conform to the existing topography and to minimize topographic modification;

The proposal does not include development on or over slopes in excess of 40 percent.

 On slopes in excess of 40 percent, piled deck support structures are required where technically feasible for parking or garages over fill-based construction types; and

The proposal does not include development on or over slopes in excess of 40 percent.

j. Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.

A mitigation, restoration, and enhancement plan designed by Altmann & Oliver Associates and meeting the requirements of LUC 20.25H.210 has included in this application. See Section X for Conditions of Approval.

- ii. Streams & Wetlands Performance Standards 20.25H.080 & 20.25H.100
 - a. Lights shall be directed away from the stream and wetland.
 All exterior lighting will have metal hoods and narrow angles of illumination that

are directed away from the stream and wetland. See Section X for Conditions of Approval.

- b. Activity that generates noise such as parking lots, generators, and residential uses, shall be located away from the stream and wetland, or any noise shall be minimized through use of design and insulation techniques. The proposal has been designed to locate the single-family residence as far from the wetland (60 feet) and stream (140 feet) as possible. During construction, activities that generate noise will be the minimum necessary to construct and develop the site. After construction, noise from the residential use will be minimal and typical for a single-family residence. Preserved significant vegetation and restoration plantings will serve to buffer noise impacts.
- c. Toxic runoff from new impervious area shall be routed away from streams and wetlands.

No toxic runoff is proposed to be directed towards the stream and wetland.

d. Treated water may be allowed to enter the stream and wetland critical area buffer.

All collected stormwater will be dispersed through an enhanced vegetated area prior to entering the wetland and stream buffer.

e. The outer edge of the stream buffer and wetland critical area buffer shall be planted with dense vegetation to limit pet or human use.

Dense plantings and signage are proposed at the edge of the identified building setback line (BSBL). For more information on proposed planting see the mitigation, restoration, and enhancement plan (Attachment 2).

f. Use of pesticides, insecticides and fertilizers within 150 feet of the edge of the stream and wetland buffer shall be in accordance with the City of Bellevue's "Environmental Best Management Practices," now or as hereafter amended.

No pesticides, insecticides, or fertilizers are proposed within 150 feet of the stream or wetland buffer in this proposal. See Section X for Conditions of Approval.

iii. Reasonable Use Performance Standards - 20.25H.205

a. The structure shall be located on the site in order to minimize the impact on the critical area or critical area buffer, including modifying the non-critical area setbacks to the maximum extent allowed under LUC 20.25H.040:

The structure is being located on the site at the northeastern extreme of the property. It will conform to a reduced 15-foot front yard setback. The permanent disturbance on the site will be at or below the maximum allowed per the reasonable use exception allowed by this code for this site, or 3,000 square feet. See Section X for Conditions of Approval.

b. Ground floor access points on portions of the structure adjacent to undisturbed critical area or critical area buffer shall be limited to the minimum necessary to comply with the requirements of the International Building Code and International Fire Code, as adopted and amended by the City of Bellevue;

The access points for the new structure will be from the north side of the structure away from the critical areas. Any other access points will be situated to minimize disturbance to the adjacent critical area buffer, but shall comply with International Building Code and International Fire Code requirements adopted by the City of Bellevue.

 c. Associated development, including access driveways and utility infrastructure shall be located outside of the critical area or critical area buffer to the maximum extent technically feasible;

The access drive will be on the north side of the structure, adjacent to NE 13th PI, which is the location furthest from the most sensitive areas of the property. Sewer infrastructure is located in the southeastern portion of the property and will likely require work within the steep slope, wetland, and their buffers. Water

service is located within the NE 13th PI right of way.

 d. Areas of disturbance for associated development, including access and utility infrastructure shall be consolidated to the maximum extent technically feasible;

Sewer connection may require temporary impacts due to the location of existing infrastructure on the southeast corner of the lot. A temporary restoration plan meeting the requirements of LUC 20.25H.210 will be required to be submitted with the required Utility or Building permit as part of the submittal documents. See Section X for Conditions of Approval.

e. All areas of temporary disturbance associated with utility installation, construction staging and other development shall be determined by the Director and delineated in the field prior to construction and temporary disturbance shall be restored pursuant to a restoration plan meeting the requirements of LUC 20.25H.210;

A temporary restoration plan meeting the requirements of LUC 20.25H.210 will be required to be submitted with the required Building and Utility permit as part of the submittal documents. <u>See Section X for Conditions of Approval</u>.

 f. Areas of permanent disturbance shall be mitigated to the maximum extent feasible on-site pursuant to a mitigation plan meeting the requirements of LUC 20.25H.210; and

There will be no areas of permanent disturbance outside of the 3,000 square-foot area allowed under the reasonable use exception. No permanent disturbance will occur within any critical areas. A mitigation, restoration, and enhancement plan featuring 6,545 square feet of native planting has been provided (Attachment 2), which also includes four (4) additional replacement conifers associated with hazard tree removal and permanent impacts from tree removal within the development area. See Section X for Conditions of Approval.

g. Fencing, signage and/or additional buffer plantings should be incorporated into the site development in order to prevent long-term disturbance within the critical area or critical area buffer.

A plan for signage identifying the restoration area has been included in the mitigation, restoration, and enhancement plan. See Section X for Conditions of Approval.

IV. Public Notice and Comment

Application Date: 08/21/2017
Public Notice (500 feet): 09/07/2017
Minimum Comment Period: 09/21/2017

The Notice of Application for this project was published in the City of Bellevue weekly permit

bulletin on September 7, 2017. It was mailed to property owners within 500 feet of the project site. One (1) comment has been received from the public as of the writing of this staff report.

Summary of Comments:

The tree removal proposed should be only the minimum necessary and pruning should be conducted appropriately.

Tree removal is limited to only the trees impacted by the construction of the house and driveway or trees that are considered hazardous by the project arborist. The total number of trees proposed to be removed is four (4) and mitigation for the removal is included in the mitigation, restoration, and enhancement plan. All pruning is required to be in accordance with BCC 23.76, ISA & ANSI standards, and the City of Bellevue's Tree Pruning Guidelines.

V. Summary of Technical Reviews

Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development.

VI. State Environmental Policy Act (SEPA)

Construction of a single-family residence is categorically exemption per WAC 197-11-800 (1).

VII. Changes to Proposal as a Result of City Review

Changes were made to the mitigation, restoration, and enhancement plan to no longer include ash trees (*Fraxinus spp.*) to reflect the likely spread of emerald ash borer (*Agrilus planipennis*) to the region, and to include four (4) replacement trees for trees removed for development and hazardous conditions.

VIII. Decision Criteria

The proposal, as conditioned below, meets the applicable regulations and decision criteria for a Critical Areas Land Use Permit pursuant to LUC Section 20.30P.

A. Critical Areas Land Use Permit Decision Criteria 20.30P

The Director may approve or approve with modifications an application for a critical areas land use permit if:

1. The proposal obtains all other permits required by the Land Use Code;

The applicant must obtain a Single-Family Building and/or Utilities Permit before

beginning any work. See Section X for Conditions of Approval.

2. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer;

The proposal utilizes the best available construction, design, and development techniques which have resulted in complete avoidance of the critical areas on-site, and limited the impacts to the buffer from one steep slope buffer adjacent to the limited buildable area on-site. A reduction in the required front yard structure setback to 15 feet has also been included in the proposal to further limit permanent disturbance to the buffer.

3. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable, and ;

As discussed in Section III of this report, the proposal meets the performance standards of LUC 20.25H.080.A, LUC 20.25H.100, LUC 20.25H.125, and LUC 20.25H.205 for a reasonable use exception into a critical area or critical area buffer.

4. The proposal will be served by adequate public facilities including street, fire protection, and utilities; and;

The proposed single-family residence is consistent with the surrounding land uses and is adequately served by public facilities. All necessary services and ancillary utilities are currently available on-site or within the NE 13th PI right of way.

5. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210; and

All areas of temporary disturbance associated with the construction and staging of the new single-family residence will be restored per an approved mitigation, restoration, and enhancement plan. The permanent disturbance will occur within the 3,000 square feet allowed under 20.25H.190. The location of the proposed residence is adjacent to NE 13th PI.

6. The proposal complies with other applicable requirements of this code.

As discussed in Section III of this report, the proposal complies with all other applicable requirements of the Land Use Code.

IX. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of Planning and Community Development does hereby <u>approve with conditions</u> the proposal to obtain a reasonable use exception for the construction of a single-family residence at 14615 NE 13th Pl.

Note - Expiration of Approval: In accordance with LUC 20.30P.150 a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Building Permit

or other necessary development permits within one year of the effective date of the approval.

X. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC 23.76	Tom McFarlane, 425-452-5207
Land Use Code- BCC 20.25H	David Wong, 425-452-4282
Noise Control- BCC 9.18	David Wong, 425-452-4282

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

1. Building Permit

Approval of this Critical Areas Land Use Permit does not constitute an approval of a development permit. Application for a building permit or other required permits must be submitted and approved. Plans submitted as part of either permit application shall be consistent with the activity permitted under this approval. Future work on the property may be subject to further critical areas permit requirements and/or geotechnical review.

Authority: Land Use Code 20.30P.140 Reviewer: David Wong, Land Use

2. Maximum Permanent Disturbance

A maximum permanent disturbance area of 3,000 is granted for the development of the single-family residence, driveway, and maintenance space in accordance with the allowances of the Reasonable Use Exception.

Authority: Land Use Code 20.25H.200.A.2

Reviewer: David Wong, Land Use

3. Modification to General Dimensions

Modification to the general dimensions requirements for the development of a single-family dwelling are limited to a 15-foot front yard setback as depicted on Site Plan (Attachment 1).

Authority: 20.25H.040.B

Reviewer: David Wong, Land Use

4. Land Use Inspection

A Land Use (600) inspection is required prior to Building Permit final inspection to verify plant installation is complete and according to the mitigation, restoration, and enhancement plan.

Authority: Land Use Code 20.25H.220.F

Reviewer: David Wong, Land Use

5. Restoration for Areas of Temporary Disturbance

A restoration plan for all areas of temporary disturbance outside of the designated permanent disturbance is required to be submitted for review and approval by the City of Bellevue as a component of the Single-Family Building Permit. The plan shall identify the full areas of temporary impacts expected by the connection to sewer infrastructure or other sources of temporary disturbance.

Authority: Land Use Code 20.25H.220.H

Reviewer: David Wong, Land Use

6. Mitigation, Restoration, and Enhancement Plan

A mitigation, restoration, and enhancement plan conforming to the plan under this review (Attachment 2) shall be submitted as a component of the Building Permit. The plan shall include and identify mitigation for significant and hazardous tree removal as depicted on the mitigation, restoration, and enhancement plan.

Authority: Land Use Code 20.25H.205.F

Reviewer: David Wong, Land Use

7. Monitoring

The planting area outlined in the restoration plan shall be self-maintained and self-monitored for five (5) years. Annual monitoring reports are to be submitted to the Land Use Division each of the five years at the end of each growing season or October 31st. Photos from selected photo points will be included in the monitoring reports to document the planting. The following schedule and performance standards apply and are evaluated in the report for each year:

Year 1 (from date of plant installation)

- 100% survival of all installed woody plant material
- 15% coverage or native recolonization of the planting area
- Less than 10% coverage of invasive plants in planting area

Year 2 (from date of plant installation)

- At least 85% survival of all installed wood plant material
- 20% coverage or native recolonization of the planting area
- Less than 10% coverage of invasive plants in planting area

Year 3, 4, & 5 (from date of plant installation)

- At least 85% survival of all installed woody plant material
- At least 40% (Year 3) and 60% (Year 5) coverage of the planting area by native plants in each year respectively
- Less than 10% coverage by invasive species or non-native/ornamental vegetation The reports, along with a copy of the restoration plan, can be sent to David Wong at dwong@bellevuewa.gov or to the address below:

Environmental Planning Manager Development Services Department City of Bellevue PO Box 90012 Bellevue, WA 98009-9012

Authority: Land Use Code 20.25H.220.D

Reviewer: David Wong, Land Use

8. Restoration Area Signage

Signs identifying the restoration area shall be installed at the edge of the approved permanent disturbance area on intervals of not greater than 30 feet. Signage shall include wording prohibiting the alteration or removal of vegetation within the restoration area, and sign contents will be reviewed under the Building Permit application.

Authority: Land Use Code 20.25H.205.G

Reviewer: David Wong, Land Use

9. Planting Cost Estimate

A planting cost estimate detailing the cost for materials and labor identified on the mitigation, restoration, and enhancement plan shall be submitted as part of the Building Permit application. The estimate shall also include the cost of five years of maintenance and monitoring activities as described in the maintenance and monitoring plan.

Authority: Land Use Code 20.25H.220.F

Reviewer: David Wong, Land Use

10. Maintenance & Monitoring Surety

A financial maintenance surety of 100% of the cost of the plant materials and labor, or 20% of the maintenance and monitoring contract cost is required prior to Building Permit approval. Final inspection is required at the end of the fifth year for release of the surety.

Authority: Land Use Code 20.25H.220.F

Reviewer: David Wong, Land Use

11. Exterior Lighting

All exterior lighting shall be directed away from the wetland and stream critical areas. Hooded lights with narrow illumination angles are allowed on portions of the building not facing the stream or wetland.

Authority: Land Use Code 20.25H.080.A.1, 20.25H.100.A

Reviewer: David Wong, Land Use

12. Rainy Season Restrictions

Due to the proximity to a steep slope and wetland buffers, no clearing and grading activity may occur during the rainy season, which is defined as October 1 through April 30 without written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A

Reviewer: Tom McFarlane, Clearing and Grading

13. Pesticides, Insecticides, and Fertilizers

The applicant must submit as part of the required Building Permit information regarding the use of pesticides, insecticides, and fertilizers in accordance with the City of Bellevue's "Environmental Best Management Practices".

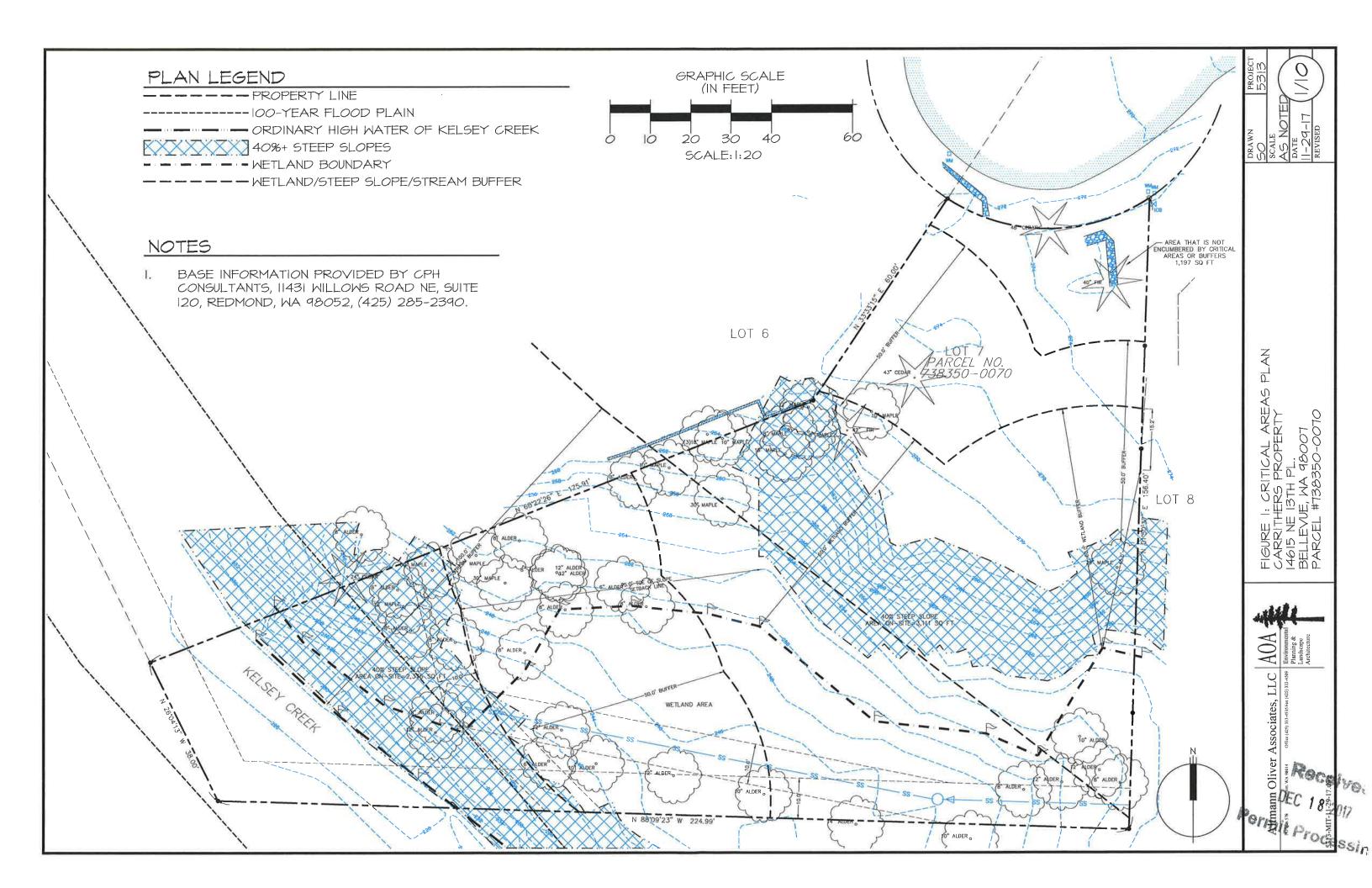
Authority: Land Use Code 20.25H.080.A, 20.25H.100.F

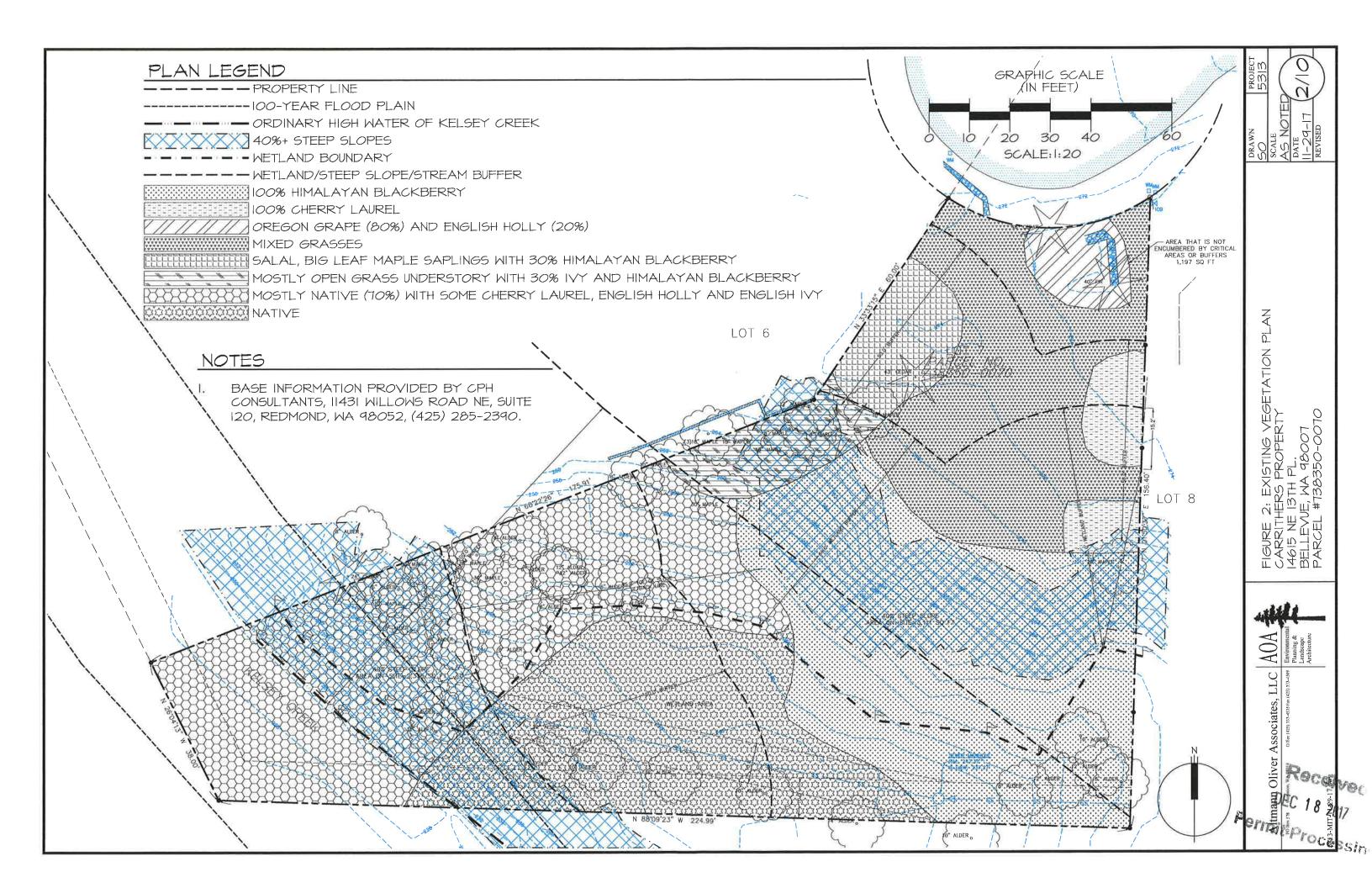
Reviewer: David Wong, Land Use

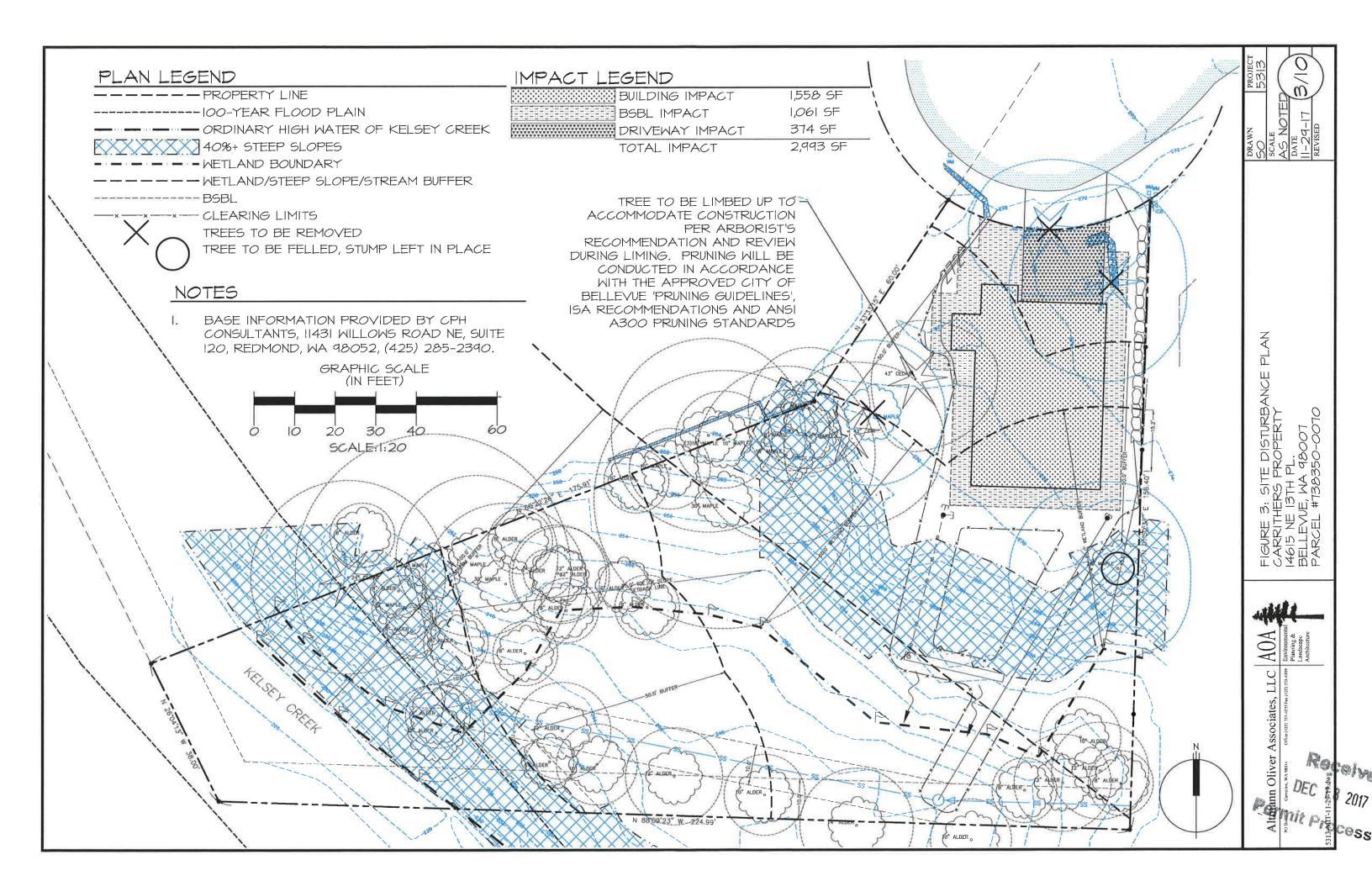
14. Noise Control

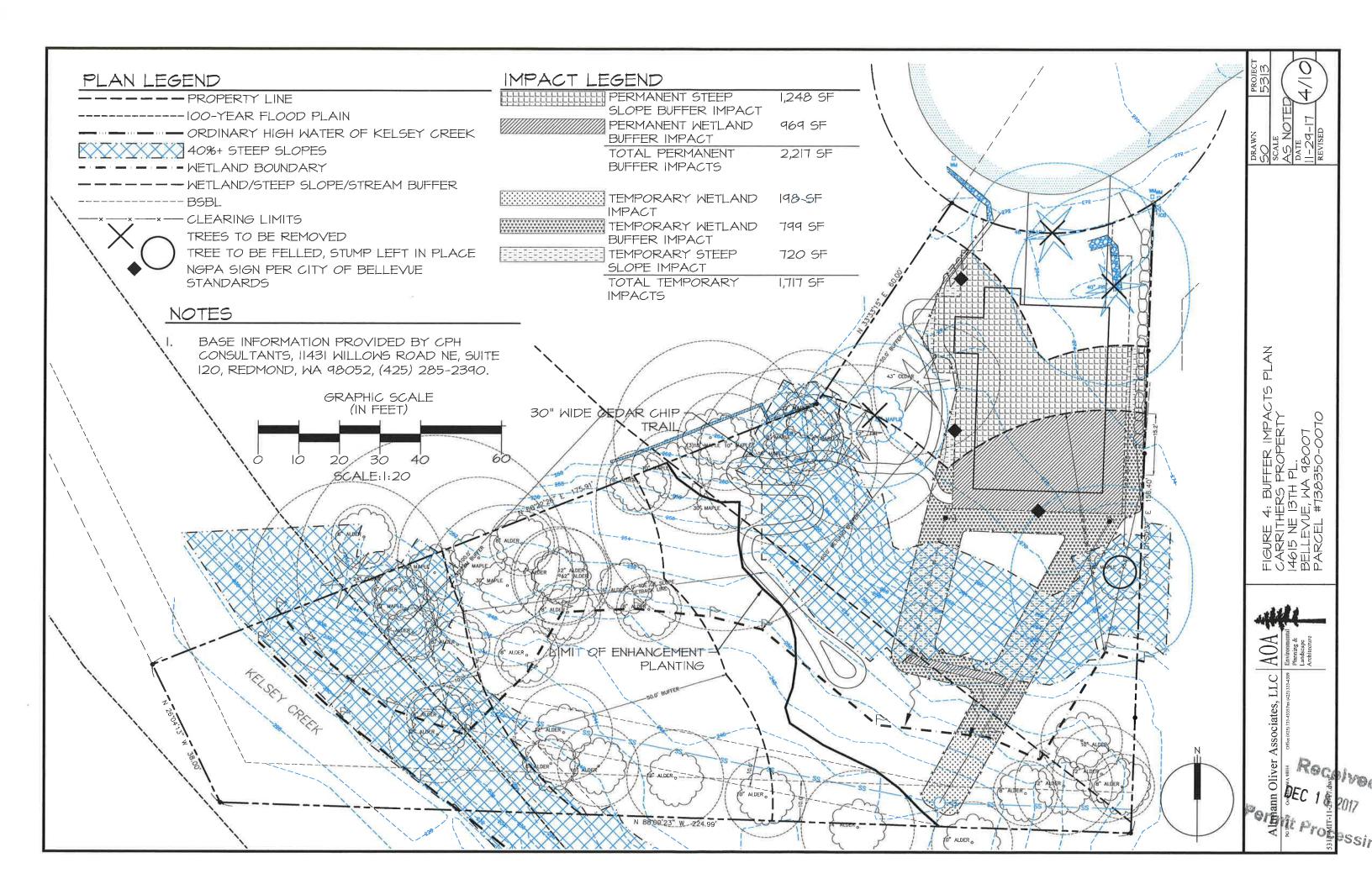
Noise related to construction is exempt from the provisions of BCC 9.18 between the hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Noise emanating from construction is prohibited on Sundays or legal holidays unless expanded hours of operation are specifically authorized in advance. Requests for construction hour extension must be done in advance with submittal of a construction noise expanded exempt hours permit.

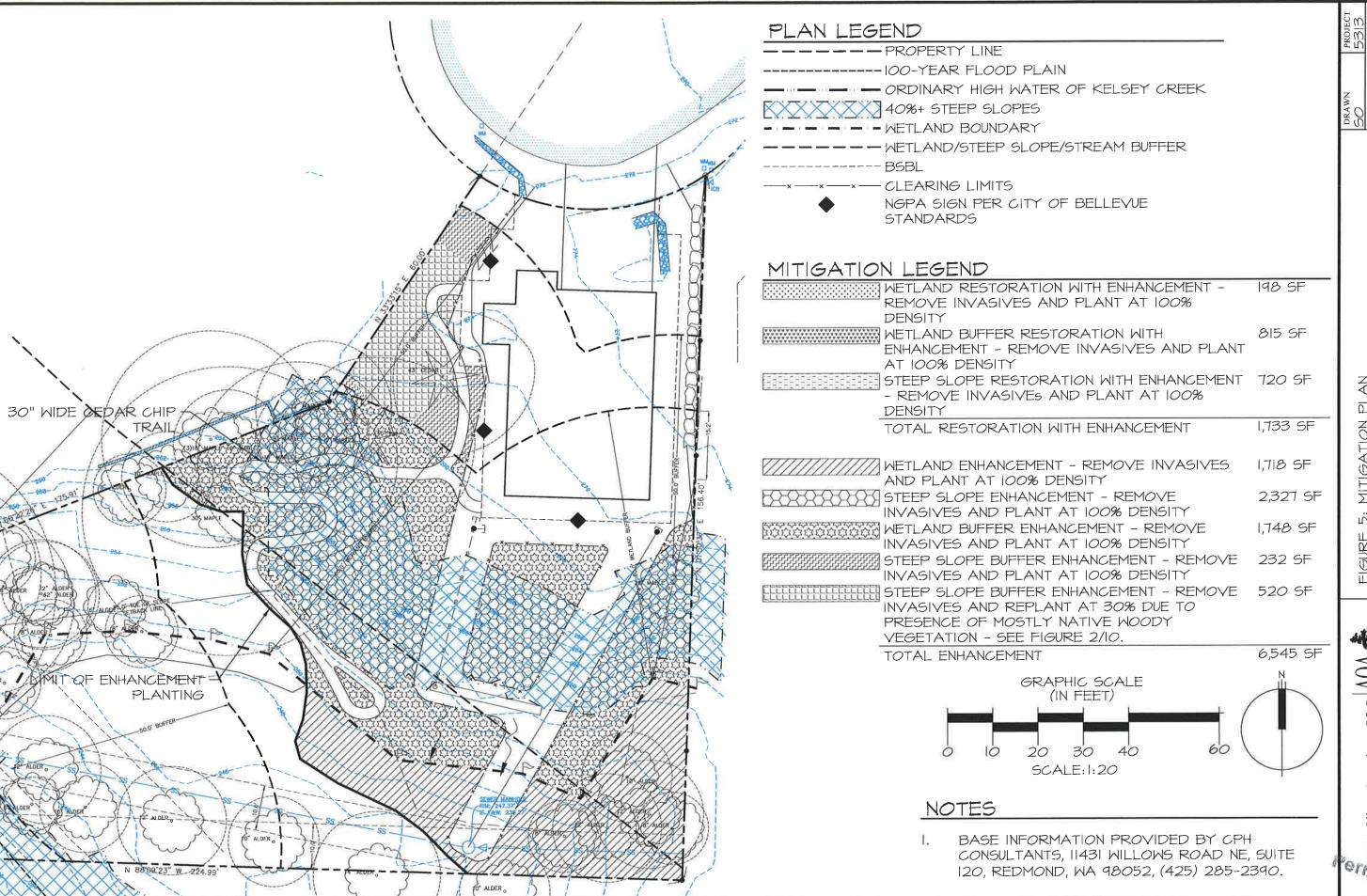
Authority: Bellevue City Code 9.18 Reviewer: David Wong, Land Use







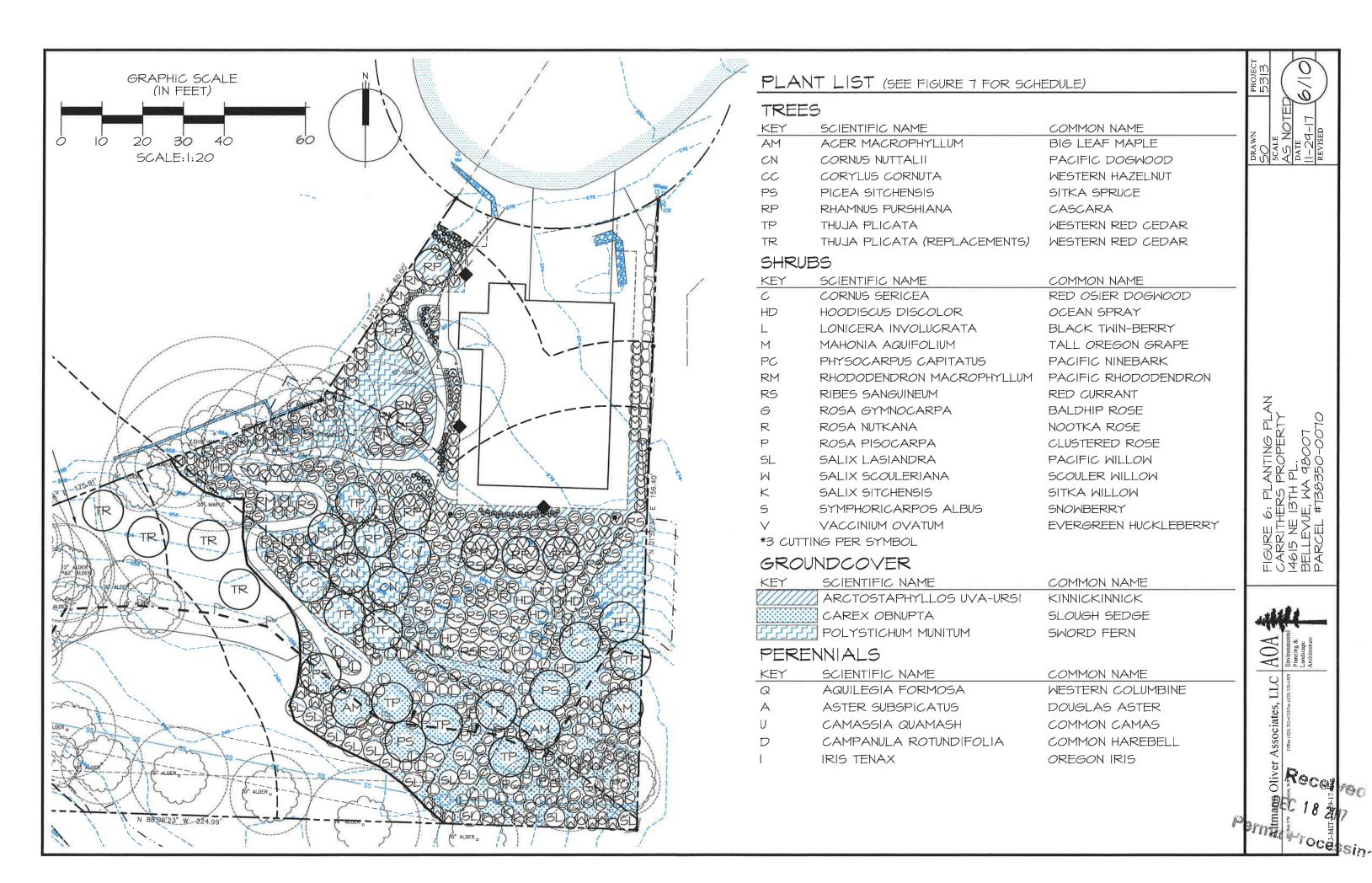




5: MITIGATION PLA THERS PROPERTY E 13TH PL.

LC AOA Environmental Planning & Landscape Landscape Architecture

Oliver Associates, LLC AO



SCIENTIFIC NAME
AM ACER MACROPHYLLUM BIG LEAF MAPLE 10' O.C. 10' O.C. 3 2 GAL. SINGLE TRUNK, WELL BRANCHED CN CORNUS NUTTALII PACIFIC DOGWOOD 10' O.C. 10' O.C. 3 2 GAL. FULL & BUSHY CC CORYLUS CORNUTA WESTERN HAZELNUT 10' O.C. 10' O.C. 2 2 GAL. MULTI-STEM (3 MIN.) P5 PICEA SITCHENGIS SITKA SPRUCE 10' O.C. 10' O.C. 3 2 GAL. FULL & BUSHY RP RHAMNUS PURSHIANA CASCARA 10' O.C. 10' O.C. 9 2 GAL. MULTI-STEM (3 MIN.) TP THUJA PLICATA WESTERN RED CEDAR 10' O.C. 10' O.C. 9 2 GAL. FULL & BUSHY TR THUJA PLICATA (REPLACEMENTS) WESTERN RED CEDAR AS SHOWN AS SHOWN 4 2 GAL. FULL & BUSHY SHRUBS KEY SCIENTIFIC NAME COMMON NAME DENSITY SPACING QTY. SIZE (MIN.) NOTES C CORNUS SERICEA RED OGGWOOD 4.5' O.C. 3' O.C. 45 1 GAL. MULTI-STEM (3 MIN.) HD HOODISCUS DISCOLOR OCEAN SPRAY 4.5' O.C. 3' O.C. 46 1 GAL. MULTI-STEM (3 MIN.) L LONICERA INVOLUCRATA BLACK TUIN-BERRY 4.5' O.C. 3' O.C. 46 1 GAL. MULTI-STEM (3 MIN.) M MAHONIA AQUIFOLIUM TALL OREGON GRAPE 4.5' O.C. 3' O.C. 68 1 GAL. MULTI-STEM (3 MIN.) RM RHODODENDRON MACROPHYLLUM PACIFIC RHODODENDRON 4.5' O.C. 5' O.C. 7 1 GAL. MULTI-STEM (3 MIN.) RS RIBES SANGUINEUM RED CURRANT 4.5' O.C. 5' O.C. 7 1 GAL. MULTI-STEM (3 MIN.)
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RS RIBES SANGUINEUM RED CURRANT 4.5' O.C. 5' O.C. 26 I GAL. MULTI-STEM (3 MIN.)
C POCA CYMNOCARDA DAL DIUD DOCE AFLOC 2100 26 LOAL MUTICITICATO ACUA
G ROSA GYMNOCARPA BALDHIP ROSE 4,5' O.C. 3' O.C. 26 GAL. MULTI-STEM (3 MIN.)
R ROSA NUTKANA NOOTKA ROSE 4.5' O.C. 3' O.C. 32 I GAL. MULTI-STEM (3 MIN.)
P ROSA PISOCARPA CLUSTERED ROSE 4.5' O.C. 3' O.C. 22 I GAL. MULTI-STEM (3 MIN.)
SL SALIX LASIANDRA PACIFIC WILLOW 4.5' O.C. 5' O.C. *42 4' CUTTING 1/2" DIA. MIN., BARK INTACT
W SALIX SCOULERIANA SCOULER WILLOW 4.5' O.C. 3" O.C. *72 4' CUTTING 1/2" DIA. MIN., BARK INTACT
K SALIX SITCHENSIS SITKA WILLOW 4.5' O.C. 3' O.C. *57 4' CUTTING 1/2" DIA. MIN., BARK INTACT
S SYMPHORICARPOS ALBUS SNOWBERRY 4.5' O.C. 3' O.C. 49 GAL. MULTI-STEM (3 MIN.)
V VACCINIUM OVATUM EVERGREEN HUCKLEBERRY 4.5' O.C. 3' O.C. 49 GAL. FULL & BUSHY
*3 CUTTING PER SYMBOL
GROUNDCOVER
KEY SCIENTIFIC NAME COMMON NAME SPACING QTY SIZE (MIN.) NOTES
ARCTOSTAPHYLLOS UVA-URSI KINNICKINNICK 2' O.C. 180 I GAL. FULL & BUSHY
CAREX OBNUPTA SLOUGH SEDGE 2' O.C. 371 CLUMP DIVISIONS FULL & BUSHY
POLYSTICHUM MUNITUM SWORD FERN 3' O.C. 177 I GAL. FULL & BUSHY
PERENNIALS
KEY SCIENTIFIC NAME COMMON NAME SPACING QTY. SIZE MIN.) NOTES
Q AQUILEGIA FORMOSA WESTERN COLUMBINE I' O.C. 31 I GAL. OR 4" POT FULL & BUSHY
A ASTER SUBSPICATUS DOUGLAS ASTER 2' O.C. 15 I GAL. OR 4" POT FULL & BUSHY
U CAMASSIA QUAMASH COMMON CAMAS I' O.C. 25 I GAL, OR 4" POT FULL & BUSHY
D CAMPANULA ROTUNDIFOLIA COMMON HAREBELL I' O.C. 24 I GAL. OR 4" POT FULL & BUSHY
I IRIS TENAX OREGON IRIS I' O.C. 24 I GAL. OR 4" POT FULL & BUSHY

FIGURE 7: PLANT SCHEDULE CARRITHERS PROPERTY 14615 NE 13TH PL. BELLEVUE, WA 98007 PARCEL #738350-0010

Attmann Oliver Associates, LLC A0A

Attmann Oliver Associates, LLC Roll

Environmental

Planting &

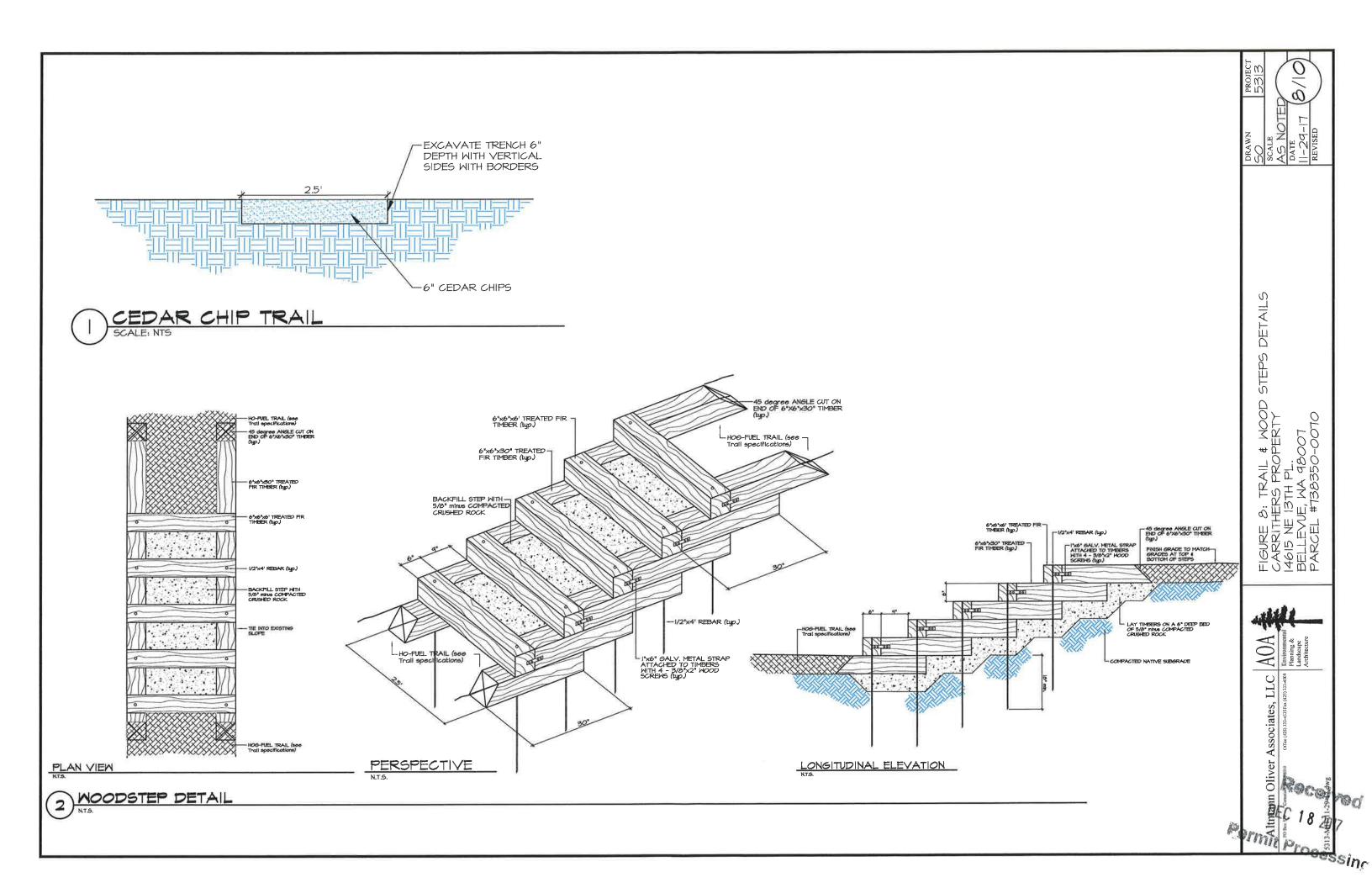
Landscape

Architecture

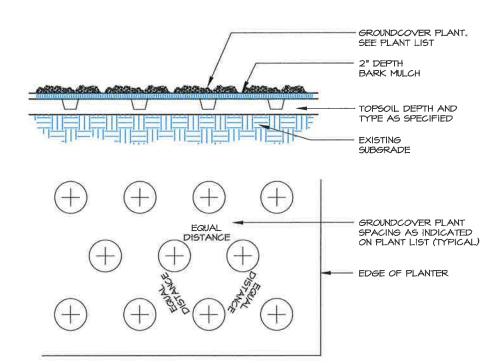
Si3-MIT-Reg-17, Reg

Si2-MIT-Reg-17, Reg

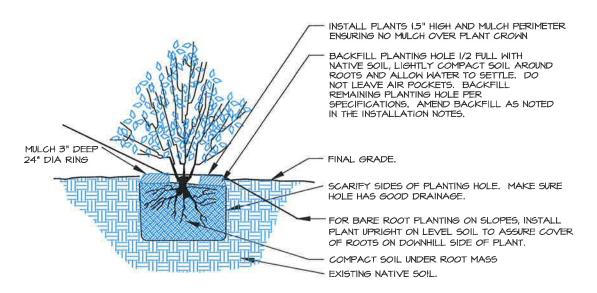
Si2-MIT-Re



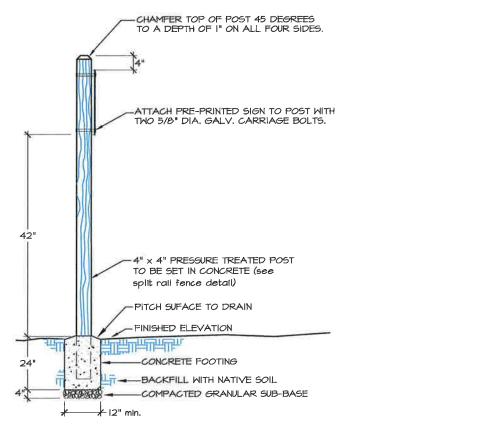
CONTAINER TREE/SHRUB PLANTING (TYP.)



GROUNDCOVER PLANTING (TYP.)



BARE-ROOT SHRUB PLANTING (TYP.)





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DETAILS CONSTRUCTION IS PROPERTY
TH PL.

A01

Altmam Oliver Associates, LL

- I. CONTRACTOR INFORMATION. WHEN IT IS AVAILABLE, CONTACT INFORMATION SHALL BE PROVIDED TO THE CITY OF BELLEVUE THAT INCLUDES NAMES, ADDRESSES AND PHONE NUMBERS OF PERSONS/FIRMS THAT WILL BE RESPONSIBLE FOR INSTALLING REQUIRED PLANTS AND PERFORMING REQUIRED MAINTENANCE.
- 2. CONTRACTOR'S QUALIFICATIONS. ALL WORK SHALL BE PERFORMED BY A LICENSED LANDSCAPE CONTRACTOR REGISTERED IN THE STATE OF WASHINGTON. CONTRACTOR MUST BE EXPERIENCED IN MITIGATION AND RESTORATION WORK. THE CONTRACTOR SHALL PROVIDE THAT THERE IS ONE PERSON ON THE SITE AT ALL TIMES DURING WORK AND INSTALLATION WHO IS THOROUGHLY FAMILIAR WITH THE TYPE OF MATERIALS BEING INSTALLED AND THE BEST METHODS FOR THEIR INSTALLATION, AND WHO SHALL DIRECT ALL WORK BEING PERFORMED UNDER THESE SPECIFICATIONS. THIS PERSON SHALL HAVE A MINIMUM OF FIVE (5) YEARS EXPERIENCE INSTALLING NATIVE PLANT MATERIALS FOR WETLAND MITIGATION OR RESTORATION PROJECTS, UNLESS OTHERWISE ALLOWED BY THE LANDSCAPE DESIGNER, WETLAND BIOLOGIST AND/OR THE CITY OF BELLEVUE.
- 3. ALL PLANTS SHOULD BE INSTALLED BETWEEN DECEMBER IST AND MARCH 15TH UNLESS SUPPLEMENTAL IRRIGATION IS IN PLACE PRIOR TO PLANTING.
- 4. INTERMEDIATE INSPECTIONS. ALL PLANTS SHALL BE INSPECTED AND APPROVED BY THE LANDSCAPE DESIGNER AND/OR WETLAND BIOLOGIST PRIOR TO INSTALLATION.
 CONDITION OF ROOTS OF A RANDOM SAMPLE OF PLANTS WILL BE INSPECTED, AS WELL AS ALL ABOVEGROUND GROWTH ON ALL PLANTS. ROOTS OF ANY BARE ROOT PLANTS,
 IF PERMITTED FOR USE, WILL BE INSPECTED. PLANT MATERIAL MAY BE APPROVED AT THE SOURCE, AT THE DISCRETION OF THE LANDSCAPE DESIGNER AND THE WETLAND
 BIOLOGIST. ALL MATERIAL MUST BE RE-INSPECTED AND APPROVED ON THE SITE PRIOR TO INSTALLATION. PLANT LOCATIONS SHALL ALSO BE INSPECTED AND APPROVED
 PRIOR TO PLANTING.
- 5. PRIOR TO INSTALLATION OF PLANT MATERIAL, THE PLANTING AREAS WILL BE LAID OUT BASED ON THE PLANTING PLAN, AND ALL NON-NATIVE WOODY AND HERBACEOUS VEGETATION LOCATED IN THE PLANTING AREAS WILL BE REMOVED BY HAND.
- 6. ALL PLANTS SHALL BE PIT-PLANTED IN PLANTING PITS EXCAVATED 2X THE DIAMETER OF THE PLANT. PITS SHALL BE BACKFILLED WITH A 30/10 MIX OF ORGANIC WEED-FREE COMPOST TO NATIVE SOIL. PLANTS SHALL BE INSTALLED 3" HIGH AND SURFACED MULCHED TO A DEPTH OF 3" WITH MEDIUM-COURSE BARK MULCH PLACED CONTINUOUSLY THROUGHOUT THE PLANTING BED. STEEP SLOPE AREAS SHALL BE JUTED WITH 1/2" NATURAL JUTE INSTALLED PER MANUFACTURER'S SPECIFICATIONS.
- 7. ALL PLANTS SHALL BE NURSERY GROWN (IN WESTERN WA OR OR) FOR AT LEAST I YEAR FROM PURCHASE DATE, FREE FROM DISEASE OR PESTS, WELL-ROOTED, BUT NOT ROOT-BOUND AND TRUE TO SPECIES.
- 8. PLANT LAYOUT SHALL BE APPROVED BY AOA PRIOR TO INSTALLATION AND APPROVED UPON COMPLETION OF PLANTING.
- 9. UPON COMPLETION OF PLANTING, ALL PLANTS SHALL BE THOROUGHLY WATERED.
- 10. UPON APPROVAL OF PLANTING INSTALLATION BY AOA, THE CITY OF BELLEVUE WILL BE NOTIFIED TO CONDUCT A SITE REVIEW FOR FINAL APPROVAL OF CONSTRUCTION.
- II. MAINTENANCE SHALL BE REQUIRED IN ACCORDANCE WITH THE CITY OF BELLEVUE MITIGATION GUIDELINES AND APPROVED PLANS.
- 12. AN IRRIGATION SYSTEM SHALL BE DESIGNED BY THE LANDSCAPE CONTRACTOR TO PROVIDE 1/2" OF FLOW 2-3 TIMES WEEKLY FROM JULY 1 OCTOBER 31 THE FIRST YEAR AFTER PLANTING TO ALL PLANTED AREAS VIA MP3 ROTOR HEADS. FLOW SHALL REDUCE TO 1-2 TIMES WEEKLY THE SECOND YEAR AFTER PLANTING AND ONCE WEEKLY THE YEARS 3-5.
- 13. MAINTENANCE SHALL BE IMPLEMENTED ON A REGULAR BASIS ACCORDING TO THE SCHEDULE BELOW.

ANNUAL MAINTENANCE SCHEDULE

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MAINTENANCE ITEM	J	F	М	А	M	J_	1	A	5	0	N	D
WEED CONTROL			1		1	111	I	1	1			
GENERAL MAINT.			1		1	1		1	1			
IRRIGATION - YEAR I						4	8	8	8			
IRRIGATION - YEAR 2						4	8	8	8			
IRRIGATION - YEARS 3-5						4	4	4	4			

1-8 = NUMBER OF TIMES TASK SHALL BE PERFORMED PER MONTH.

FIGURE 10: SPECIFICATIONS CARRITHERS PROPERTY 14615 NE 13TH PL. BELLEVUE, MA 98007 PARCEL #138350-0010

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Associates,

Altmann Oliver

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